

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 11/15/2023

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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GABRIEL HERRERA, CURTIS HENNAGER,	:
Individually and on behalf of all others similarly	:
situated, and	:
	:
DANIEL ABBOTT, ELIZABETH	:
AMMERMAN, AMIR AZARCON, SEAN	:
CONWAY, RYAN INWARDS, BLAKE	:
MARTIN, MADISON MURPHY, CARLIN	:
ROLLENHAGEN, WINSTON TOLLIVER,	:
DAVID UNICH, DYLAN WARMACK, FNAN	:
YSAHAK, individually,	:
	:
Plaintiffs,	:
	:
-against-	:
	:
COMME DES GARÇONS, LTD., DOVER	:
STREET MARKET NEW YORK LLC, ELAINE	:
BEUTHER, JAMES GILCHRIST,	:
	:
Defendants.	:
-----	X

21-CV-4929

ORDER

VALERIE CAPRONI, United States District Judge:

WHEREAS on August 12, 2022, the Court granted Defendants' motion to dismiss the Second Amended Complaint with prejudice;

WHEREAS on September 6, 2022, Plaintiffs appealed that decision, Dkt. 94;

WHEREAS on October 16, 2023, the Second Circuit vacated and remanded the Court's Opinion and Order granting the motion to dismiss, Op., Dkt. 95; and

WHEREAS on November 6, 2023, the mandate issued, Dkt. 96.


IT IS HEREBY ORDERED that, not later than **November 30, 2023**, the parties must file a joint letter with proposed next steps, including a statement as to whether (1) the parties request

a settlement conference with Magistrate Judge Cave for a settlement conference, and

(2) Defendants seek to renew their motion to dismiss.

SO ORDERED.

Date: November 15, 2023
New York, NY



VALERIE CAPRONI
United States District Judge